

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

FILED

2010 NOV 17 PM 3:00

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD M. BENAVIDES,

Defendant.

SA-09-CR-903 (XR) DEPUTY CLERK

S U P E R S E D I N G
I N D I C T M E N T

[Vio: 21 U.S.C. §§
841 (a) (1) &
841 (b) (1) (B) (ii) :
Possession with Intent to
Distribute a Controlled
Substance; 21 USC § 860(a)
Distribution Near Schools &
Playgrounds; 18 USC §
924(c) (1) (A) (i) : Possession
of Firearm in Furtherance
of a Drug Trafficking
Crime]

THE GRAND JURY CHARGES:

COUNT ONE

[21 USC §§ 841(a) (1), 841(b) (1) (B) (ii) & 860(a)]

That on or about November 12, 2009, in the Western District of
Texas, Defendant,

RICHARD M. BENAVIDES,

unlawfully, knowingly, and intentionally possessed with intent to
distribute a controlled substance, which offense involved 500 grams
or more of a mixture or substance containing a detectable amount of
cocaine, a Schedule II Controlled Substance, within 1,000 feet of
the real property comprising a secondary school, specifically, Palm
Heights Baptist School, located at 1106 West Malone, San Antonio,
Texas, 78225, in violation of Title 21, United States Code,
Sections 841(a) (1), 841(b) (1) (B) (ii) and 860(a).

COUNT TWO

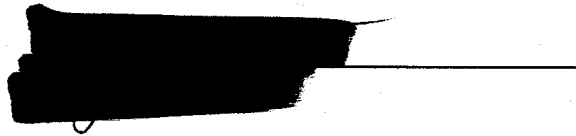
[18 U.S.C. § 924(c)(1)(A)(i)]

That on or about November 12, 2009, in the Western District of Texas, Defendant,

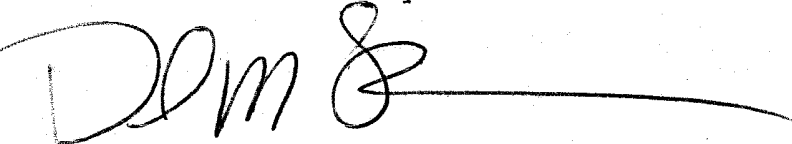
RICHARD M. BENAVIDES,

in furtherance of a drug trafficking crime, namely the possession with intent to distribute a controlled substance, charged in Count One, above, and incorporated herein by reference, did knowingly possess firearms, specifically: (1) a Smith & Wesson .38 cal revolver, serial # CMJ0767; and (2) a Rossi, .357 magnum revolver serial number # ZF396438; in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

A TRUE BILL,

A large black rectangular redaction mark covering the signature of the United States Attorney.

JOHN E. MURPHY
United States Attorney

A handwritten signature in dark ink, appearing to read 'Dm &', followed by a horizontal line.

DAVID M. SHEARER
Assistant United States Attorney